

REMARKS

This application as amended herein, contains claim 1-10 and newly added claims 11-16.

As requested by the examiner, a replacement drawing sheet for Figs 1 and 2, indicating that these figures are prior art, is attached.

A new abstract of less than 150 words is submitted as page 2 herein.

Claims 1-4, 7 and 9 were rejected under 35 U.S.C. 102(e) as being anticipated by Sabounjian. Claims 5 and 6 were rejected as obvious over Sabounjian. Claim 8 was rejected as obvious over Sabounjian in view of Kellog et al. Claim 10 was rejected as obvious over Sabounjian in view of Zheng. In view of the amendments made herein, these rejections are respectfully traversed.

Claim 1 has been amended herein to recite that:

each of the supporting strips is inserted into a tube-shaped sleeve through an opening of the tube-shaped sleeve when the hamper is to be used for containing articles in the hamper, and each of the supporting strips is removed through the opening of the corresponding tube-shaped sleeve when the hamper is to be collapsed.

Support for this amendment may be found in the specification on page 5, lines 6-9 and lines 17-20.

Applicant's invention, as set forth in claim 1, as amended herein, provides a hamper that can be collapsed to be extremely small, as compared to its un-collapsed state. When the supporting strips are removed, the container may be twisted, folded and banded (Figs. 4 and 5) to make a hamper having a large storage volume be very small in size. The supporting strips may be stored until the hamper is again needed for storage or carrying of items, at which time the supporting strips are again installed in the tube-shaped sleeves. As noted in the original abstract and in the specification, on page 8, lines 7-9, the invention as set forth in claim 1, has the advantages of being simple in structure, flexible in shape, convenient for storage and portable of practical use.

None of the art of record teaches or suggests applicant's invention, as set forth in claim 1. Specifically, it is submitted that Sabounjian actually teaches away from Applicant's invention. Paragraph [0033] on page 2 of Sabounjian, states:

Referring to FIGS. 1, 2 and 5, the pocket 32 encloses the vertical support 30 fairly closely so as to force the side walls 26 that are fastened to the pocket 30 to take the orientation of the support 30. The pockets 30 advantageously take the form of a hat section or a C section, with opposing ends of the pocket attached to the side walls 26 along seam lines 46. Other forms of pockets can be used. It is believed possible, but not preferable, to omit the pockets 32 and have the supports 30 glued, riveted, stapled,

melted or otherwise fastened to the abutting side walls 26 in a manner that does not allow relative movement between the support 30 and walls 26. In such situations, the attachment between the support 30 and side walls 26 can be intermittent, or continuous along the length of the support 30. It is also believed possible to directly fasten the supports 30 to the side walls 26 and still cover the supports 30 with pockets 32.

Thus, Sabounjian actually teaches that its supports 30 may be directly fastened to the side walls 26. Nowhere does Sabounjian teach or even remotely suggest supporting strips that are inserted in tube-shaped sleeves to expand a hamper for use, and removed to collapse the hamper. In fact, the process of collapsing the device of Sabounjian is discussed in paragraph [0039] on page 3, which states:

Referring to FIG. 14-15, the container 20 has an open position in which the upper and lower rims 20, 22 are separated and the supports extend generally along axis 29, and also has a folded or collapsed position in which the rims 20, 22 are adjacent each other and the supports are in a plane generally orthogonal to axis 29. In the collapsed configuration, the supports 30 overlap each other and form tangents to a circle concentric to axis 29. The container 20 is collapsed by rotating the top rim 20 relative to bottom rim 22 and urging at least one of the top rim 20 and bottom rim 22 toward the other.

Again, it is evident that the supports 30 of Sabounjian are not inserted in tube-shaped sleeves to expand a hamper for use, and removed to collapse the hamper.

In view of the above, and the actual teaching away from claim 1 by Sabounjian, it is submitted that claim 1 is directed to patentable subject matter.

Newly added claims 11-15 are supported in the specification at least at page 6, lines 14-24. These claims, which depend from claim 1, serve to further distinguish Applicant's invention from the prior art. In particular, there is no teaching or suggesting of using just two supporting strips as in claim 11, having them at different heights as in claim 12, or of using three supporting strips positioned as in claim 14. Thus, it is submitted that claims 11-15 are also directed to patentable subject matter.

Newly added claim 16, which is supported at page 5, lines 20-21 of the specification, recites that the hamper may be overlapped and twisted so that an outer perimeter of the hamper is one-third of the size when the hamper is fully expanded. This is certainly not the case for Sabounjian, where there is no suggestion of overlap and twisting. In fact, the rotation of the top rim 20 of the device of Sabounjian with respect to the bottom rim 22, as described in paragraph [0039] discussed above, would produce a perimeter no smaller than that of the largest rim. Thus, it is submitted that claim 16 is also directed to patentable subject matter.


The remaining claims depend from independent claim 1. These claims include further recitations which, in combination with those of claim 1, are not disclosed or suggested in the art of record. Thus, for the reasons set forth above for claim 1, and in view of their further recitations, it is submitted that claims 2-9 are also directed to patentable subject matter.

Conclusion

The present invention, as note in the specification at page 1, lines 19-24, provides a collapsible storage hamper with no restrictions on its shape, size and capacity. The present invention has the advantages of being simple in structure, flexible in shape, convenient for storage and portable of practical use. The storage hamper can be folded compactly reducing its size to only one third of its outer perimeter when it is fully expanded, thereby saving storage space enormously. Thus, it is submitted that claims 1-16 are patentable, and allowance is respectfully requested.

A check for \$525 for a three month extension of time for the filing of this paper is enclosed herewith.

Respectfully submitted,


David Aker, Reg. No. 29,277
23 Southern Road
Hartsdale, NY 10530
Tel. & Fax 914 674-1094

3/26/2008
Date